

[A] 106.3 Concealed work. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the fire code official shall have the authority to require that such work be exposed for inspection. Neither the fire code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

[A] 106.4 Approvals. Approval as the result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel provisions of this code or of other ordinances of the jurisdiction shall not be valid.

SECTION 107
MAINTENANCE

[A] 107.1 Maintenance of safeguards. Whenever or whenever any device, equipment, system, condition, arrangement, level of protection, or any other feature is required for compliance with the provisions of this code, or otherwise installed, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be continuously maintained in accordance with this code and applicable referenced standards.

[A] 107.2 Testing and operation. Equipment requiring periodic testing or operation to ensure maintenance shall be tested or operated as specified in this code.

[A] 107.2.1 Test and inspection records. Required test and inspection records shall be available to the fire code official at all times or such records as the fire code official designates shall be filed with the fire code official.

[A] 107.2.2 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the fire code official for inspection and testing.

[A] 107.3 Supervision. Maintenance and testing shall be under the supervision of a responsible person who shall ensure that such maintenance and testing are conducted at specified intervals in accordance with this code.

[A] 107.4 Rendering equipment inoperable. Portable or fixed fire extinguishers shall be rendered inoperable by the fire code official.

SECTION 108
BOARD OF APPEALS

[A] 108.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

[A] 108.2 Limitations on authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code.

[A] 108.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems, and are not employees of the jurisdiction.

SECTION 109
VIOLATIONS

[A] 109.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

[A] 109.2 Owner/occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the owner. If an occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the abatement of such hazardous conditions.

[A] 109.3 Notice of violation. When the fire code official finds a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official is authorized to prepare a written notice of violation describing the conditions deemed unsafe and, when compliance is not immediate, specifying a time for reinspection.

[A] 109.3.2 Compliance notice of violation issued. The fire code official shall be responsible for the issuance of a notice of violation issued to the person responsible for the violation to which the notice applies.

[A] 109.3.3 Prosecution. If a violation is not complied with within the time specified in the notice of violation, the fire code official is authorized to request the assistance of the police or other law enforcement agency to remove or restrain the violation, or to require removal or termination of the structure in violation of the order or direct order of the fire code official.

[A] 109.3.4 Unlawful acts. Any person who violates the provisions of this code shall be liable for the costs of removal or repair, destruction or tampering with the structure, or for the costs of removal or repair of the structure in violation of the order or direct order of the fire code official.

[A] 109.4 Violation penalties. The fire code official shall have the authority to impose a fine or other penalty for a violation of this code or for a violation of the provisions of this code or for a violation of the provisions of the fire code. The fire code official shall have the authority to impose a fine or other penalty for a violation of this code or for a violation of the provisions of this code or for a violation of the provisions of the fire code.

[A] 109.4.1 Abatement. The fire code official is authorized to order the removal or repair, destruction or tampering with the structure, or for the costs of removal or repair of the structure in violation of the order or direct order of the fire code official.

SECTION 110
UNSAFE

[A] 110.1 General. If during the construction, alteration, repair, removal, demolition or use of a building, premises, vehicle, storage facility or outdoor area, the fire code official determines that the conditions are unsafe, the fire code official is authorized to order the removal or repair of the structure in violation of the order or direct order of the fire code official.